

## **CITY COUNCIL AGENDA**

### **COUNCIL CHAMBERS – 57 EAST FIRST STREET**

Monday, June 1, 2009  
5:45 P.M.

Invocation by Executive Board Chair, Skip Carney, Christian Science Church.

Pledge of Allegiance.

Mayor's Welcome.

### **CITIZEN PARTICIPATION**

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

### **CONSENT AGENDA**

All items listed with an asterisk (\*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

***(Members of the Mesa City Council will attend either in person or by telephone conference call).***

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1. Take action on all consent agenda items.
2. Conduct a public hearing and take action on the proposed annual assessments for the Mesa Town Center Improvement District No. 228.
  - 2a. Public hearing on the proposed annual assessments for the Mesa Town Center Improvement District No. 228.  
**(District 4)**
  - 2b. Take action on the following resolution:

Approving the proposed annual assessments for the Mesa Town Center Improvement District No. 228. The proposed annual assessments include a three percent rate increase that was approved by Council on March 3, 2008. **(District 4)**  
**(Continued from the May 18, 2009 Council Meeting).**
3. Conduct a public hearing on the proposed Fiscal Year 2009-10 Budget Plan.
4. Take action on the adoption of the tentative proposed Fiscal Year 2009-10 Budget Plan.
- \*5. Approval of minutes of previous meetings as written.
6. Take action on the following liquor license applications:
  - \*6a. Black Angus Steakhouse

New Restaurant License for Black Angus Steakhouse, 6902 E. Hampton Ave., Taurian BA, LLC – Amy Schwartz-Cuatto, Agent. The previous Restaurant License held at this location by ARG Enterprises Inc. will revert back to the State.  
**(District 6)**
  - \*6b. Bluemoon

New Restaurant License for Bluemoon, 1933 W. Main St., Suite 1H, Bluemoon LLC – Thang Buu Nguyen, Agent. The previous Restaurant License held at this location by Nicolas O. Rodriguez will revert back to the State. **(District 3)**

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\*6c. Mariscos Vuelve La Vida #2

New Restaurant License for Mariscos Vuelve La Vida #2, 1328 W. University Dr., Tellez Restaurant Investments Inc. – Theresa June Morse, Agent. The previous Restaurant License held at this location by Everardo Rubio will revert back to the State. **(District 1)**

\*6d. Nunthaporn's Thai Cuisine

New Restaurant License for Nunthaporn's Thai Cuisine, 17 W. Main St., Nunthaporn LLC Nunthaporn Treekamol, Agent. No previous liquor license at this location. **(District 4)**

7. Take action on the following contracts:

\*7a. Purchase of Five (5) 764/870 MHz Dual Band Mobile Radios for the Fire Department

The Business Services Department recommends authorizing purchase from the City of Phoenix contract with Motorola at \$25,164.20, including applicable Mesa sales tax. **(Citywide)**

\*7b. Ratification of Purchase and Installation of Replacement Carpeting in Communications' 911 Dispatch Center for the Facilities Maintenance Department

The Business Services Department recommends ratification of the purchase from the State contract with Continental Flooring Company at \$68,485.05, including applicable contractor tax. **(Citywide)**

\*7c. Purchase of Two (2) Replacement Fire Pumper Trucks for the Fire Department (Fire Bond Funded)

The Business Services Department recommends authorizing purchase from Pierce Manufacturing, Inc. at \$1,083,297.65, including applicable use tax. **(Citywide)**

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\*7d. Upgrade of Sulfide Control Stations. **(Districts 2, 3, 4 and 6)**

City Project No. 02-364-001. This project will rehabilitate four of the City's existing sulfide control stations that have deteriorated to the extent that the ferrous chloride storage tanks, piping, liner for the chemical containment area, controls and electronics need replacement. This project will also install leak detection ports to detect any fluid that may have leaked from the pipe. The stations to be upgraded are as follows: Southwest Water Reclamation Plant (SEWRP) Sulfide Control Station at 6312 E. Baseline Road, Horne Sulfide Control Station at 1103 S. Horne, Alma School Sulfide Control Station at 2713 S. Alma School Road and Falcon Field #5 Sulfide Control Station at 3522 E University Road.

Recommend award to the low bidder, MGC Contractors Inc., in the amount of \$922,749.00 plus an additional \$92,274.90 (10% allowance for change orders) for a total award of \$1,015,023.90. Funding is available in the adopted FY 08/09 Wastewater Capital Bond Program. The project may also be partially funded with a 2%-interest loan from the American Recovery and Reinvestment Act of 2009 (ARRA) through the State's Water Infrastructure Finance Authority (WIFA). As a condition of receiving the WIFA funding, this project must be "shovel ready" by June 15, 2009, meaning that the contract must be awarded by that date to qualify for the ARRA funding.

\*7e. Replace City Well No 11, located at 31 East 3<sup>rd</sup> Place. **(District 4)**

City Project No. 05-056-003. This project will replace a well in downtown Mesa, which has deteriorated and become unusable. Equipping of the well for pumping into the water system will be completed with a future project once the well is drilled and the well production is determined.

Recommend award to the low bidder, Zim Industries, Inc., in the amount of \$892,040.00 plus an additional \$89,204.00 (10% allowance for change orders) for a total award of \$981,244.00. Funding is available in the adopted FY 08/09

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Water Capital Bond Program. This project may be funded with a \$500,000 grant and a 2%-interest loan, both from the American Recovery and Reinvestment Act of 2009 (ARRA) through the State's Water Infrastructure Finance Authority (WIFA). As a condition of the WIFA funding, this project must be "shovel ready" by June 15, 2009, which means ready for construction.

\*7f.

Northwest Wastewater Reclamation Plant (NWWRP) Pump Replacement, located at 960 N. Riverview. **(District 1)**

City Project No. 07-021-001. The City pumps reclaimed water (effluent) from the NWWRP, located at the southeast corner of the intersection of the 101 and the 202 Freeways, to the GRUSP facility, located north of the Salt River and east of Gilbert Road, for the purpose of groundwater recharge. This project will replace three pumps with updated equipment and the installation of enhanced control wiring. The replacement will provide the plant with reliable, locally supported equipment.

Recommend award to the low bidder, Commonwealth Electric Company of the Midwest, in the amount of \$217,300.00 plus an additional \$21,730.00 (10% allowance for change orders) for a total award of \$239,030.00. Funding is available in the Adopted FY 08/09 Wastewater Capital Bond program. This project may also be funded with a \$126,000 grant and a 2% interest loan, both from the American Recovery and Reinvestment Act of 2009 (ARRA) through the State's Water Infrastructure Finance Authority (WIFA). In order to obtain federal stimulus dollars for this project, the project must be "shovel ready" by June 15, 2009.

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- \*7g. Police Department Uninterruptible Power Supply System Replacement, located at 130 N. Robson. **(District 4)**

City Project #08-923-002. This project will replace the existing Uninterruptible Power Supply System (UPS), including associated electric improvements to accommodate the upgrade at the Main Police Building located at 130 N Robson. A UPS is capable of using batteries to power the systems connected to it in the event of a power outage, without interruption, until the generator comes online or utility power is restored.

Recommend award to the low bidder, Wilson Electric Services Corporation, in the amount of \$28,333.95 plus an additional \$2,833.40 (10% allowance for change orders) for a total award of \$31,167.35. Funding is available in the Preliminary FY 09/10 Police Operating Budget (City Council District No. 4).

- \*7h. Concrete Replacement at Fire Station No. 211, located at 2130 North Horne Road. **(District 1)**

City Project No. 09-904-001. This project will replace the concrete on the north, south and west sides of the fire station in the drive lanes used for access by fire trucks and other vehicles. The concrete has deteriorated to a point where replacement is required due to numerous areas that are cracked or broken. This project will remove and replace the deteriorated concrete with new fiber-reinforced concrete.

Recommend award to the low bidder, H.W. Johnson Concrete Construction LLC, in the amount of \$25,916.75 plus an additional \$2,591.68 (10% allowance for change orders) for a total award of \$28,508.43. Funding is available from the Approved FY 08/09 Facility Maintenance Operating Budget.

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8. Take action on the following resolutions:

- \*8a. Extinguishing a Public Utilities Easement at 4325 East Southern Avenue. **(District 6)**

This easement is no longer needed as the design of the property has changed and the property owner has dedicated new easements.

- \*8b. Granting a telecommunications easement to Qwest Corporation on City-owned property at 250 East First Avenue.  
**(District 4)**

This easement is necessary to provide telecommunication facilities to the new Municipal Court Building.

- \*8c. Granting an irrigation easement to Salt River Project across City-owned property located at the intersection of Dobson Road and Main Street. **(District 3)**

This easement is necessary as Salt River Project's irrigation facilities were relocated as part of the Light Rail Project.

- \*8d. Extinguish a Public Utility Easement at 1761 W. Kiowa Avenue. **(District 3)**

This easement is being extinguished to allow the construction of a backyard swimming pool.

- \*8e. Authorizing the City to enter into Loan Agreements with the Water Infrastructure Finance Authority (WIFA) for water and wastewater improvements.

- \*8f. Approving and authorizing the procurement of solar electric generation equipment.

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9. Introduction of the following ordinances and setting June 22, 2009, as the date of the public hearing on these ordinances:

\*9a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

City Code Title 10, Chapter 3

Modify City Code Title 10, Chapter 3, Section 15 to allow all turns to be prohibited at certain times at specified driveways. This section currently only provides for left turn prohibitions.

Prohibiting Turns From Driveways: 10-3-15 (C)

On the east side of Power Road between 8:30 am and 9:00 am and between 3:30 pm and 4:00 pm, school days from the driveway with centerline approximately 360 feet north of Adobe Street (Power Road south of Brown Road) **(District 5)**

Prohibiting Turns From Driveways: 10-3-15 (D)

On the west side of Alma School Road from the driveway with centerline approximately 330 feet north of 8th Street and on the east side of Alma School Road from the driveway with centerline approximately 213 feet north of 8<sup>th</sup> Street during times when emergency traffic signal preemption at Fire Station #218 is activated (Alma School Road north of University Drive) **(District 1)**

\*9b. Amending section 5-10-310 of the Mesa City Code regarding Privilege Tax Licenses, making the license renewal date January 1 annually for all licenses, to be compliant with the Arizona Model City Tax Code.

\*9c. **Z09-09 (District 6)** 3361 South Signal Butte Road. Located north of Elliot Road on the east side of Signal Butte Road (2.23± ac). Site Plan Review. This request will allow the development of a City of Mesa Fire Station. City of Mesa owner/applicant.

PHO Recommendation: Approval with conditions.



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10. Introduction of the following ordinances relating to utility rates and setting June 22, 2009, as the date of the public hearing on these ordinances:
  - \*10a. Modifying rates for electric utility services.
  - \*10b. Modifying rates for natural gas utility services.
  - \*10c. Modifying rates for wastewater utility services.
  - \*10d. Modifying rates for water utility services
  - \*10e. Modifying the Terms and Conditions for the Sale of Utilities.
  - \*10f. Modifying the fees and charges for Utility Customers.
11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).